

REMARKS

On April 8, 2008, the Office mailed a restriction requirement, to which Applicants responded on June 5, 2008. By the present action mailed August 21, 2008, the Office has entered a nearly identical restriction requirement to the one mailed April 8, 2008. Applicants therefore carry forward their same response, traversing the requirement and provisionally electing Group III, claims 9-18.

Claims 1-19 are pending in the application. Further examination and consideration is respectfully requested in view of the following remarks.

The Examiner has required restriction between the following groups of claims:

- Group I, claims 1-5 and 19, drawn to a conduit and classified in class 138, subclass 39;
- Group II, claims 6-8, drawn to a method of mechanical manufacture and classified in class 29, subclass 592; and
- Group III, claims 9-18, drawn to a fuel distribution system and classified in class 239, subclass 88.

Applicants provisionally elect, with traverse, Group III, claims 9-18, drawn to a fuel distribution system.

The requirement for restriction is traversed because the Examiner is improperly applying the PCT standards for unity of invention. According to the Examiner, the three groups do not relate to a single general inventive concept. (Office Action, p. 2)

The following is a quotation from PCT Rule 13, which describes the standards for unity of invention (emphasis added):

13.1 *Requirement*

The international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention").

13.2 *Circumstances in Which the Requirement of Unity of Invention Is to Be Considered Fulfilled*

Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall

be fulfilled only **when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features**. The expression "special technical features" shall mean those technical features that **define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art**.

The following is a quotation from 37 U.S.C. §1.475, which describes the applicability of the unity of invention standard for national stage applications (emphasis added):

(a) An international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention"). Where a group of inventions is claimed in an application, **the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features**. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

Applicants respectfully submit that the claims fulfill the criteria for unity of invention defined in PCT Rule 13.2 and 37 U.S.C. §1.475. Claims 1-19 all call for an enlarged cavity having a center point at an intersection of the first and second longitudinal axes. This feature describes a special technical feature of the invention that is an improvement over the prior art, and furthermore forms the basis of a technical relationship among all the claims. The fact that other technical features as asserted by the Examiner distinguish the claims from each other is irrelevant. The requirement is that there is a technical relationship among those inventions involving ***one or more*** of the same or corresponding special technical features. This element is met by the present claims. There being a unity of invention, the Examiner's requirement for restriction is improper. This conclusion is further buttressed by the fact that no lack of unity of invention was found during the international phase. Consequently, Applicants respectfully request withdrawal of the requirement for restriction.

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